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DATE: January 10, 2006

PTO IDENTIFIER: Application Number 10/669,503-Conf. #4338  
Patent Number

Inventor: Shigeru Kawano et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE &amp; HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 21581-00256-US1

PAGES (Including Cover Sheet): 10

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CONNOLLY BOVE LODGE & HUTZ LLP  
1990 M Street, N.W., Suite 800, Washington, DC 20036-3426  
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

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Application No. (if known): 10/669,503

Attorney Docket No.: 21561-00256-US1

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Information Disclosure Statement (2 pages)

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Docket No.: 21581-00256-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Shigeru Kawano et al.

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JAN 10 2006

Application No.: 10/669,503

Confirmation No.: 4338

Filed: September 25, 2003

Art Unit: 1652

For: PROCESS FOR PRODUCING OPTICALLY  
ACTIVE PYRIDINEETHANOL  
DERIVATIVES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

438239

Application No.: 10/669,503

Docket No.: 21581-00256-US1

A concise explanation of relevance of the item listed on form PTO/SB/08 is in the form of an Office Action issued in counterpart application EP 00942359.1, which refers to the relevant portions of the reference.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed reference.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 21581-00256-US1.

Dated: 1-10-06

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE &amp; HUTZ LLP

Correspondence Customer Number: 30678

Attorney for Applicant

PTO/SB/08a/b (07-05)

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|   |   |    |   | Application Number       | 10/669,503-Conf. #4338 |
|   |   |    |   | Filing Date              | September 25, 2003     |
|   |   |    |   | First Named Inventor     | Shigeru Kawano         |
|   |   |    |   | Art Unit                 | 1852                   |
|   |   |    |   | Examiner Name            | Not Yet Assigned       |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 21581-00256-US1        |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
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|                                 | CA                       | Zmijewski et al., "Enantioselective reduction of 3,4-methylene-diosyphenylacetone using <i>Candida famata</i> and <i>Zygosaccharomyces rouxii</i> " (1997) <i>Appl. Microbiol Biotechnol.</i> 47, pages 162-166 (XP001205741)                                   |                |

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